

REMARKS

Claims 18-20, 30-44 and 51-56 are pending. Claims 1-17, 21 – 29 and 45 – 50 have been withdrawn. Claim 38 has been canceled. Claims 18, 30, 34, 44, 51, 54 and 55 have been amended.

REJECTIONS AND OBJECTIONS TO THE CLAIMS AND DRAWINGS

The drawings have been objected to for failing to show every feature of the claims. Moreover, claim 54 has been objected to for an informality and claim 44 has been rejected for improper antecedent basis under Section 112. Based on the present amendments, Applicants submit that the objections and rejections have been traversed.

REJECTIONS UNDER 35 U.S.C. §102(b)

Claims 18, 20, 30 – 36, 42 and 44 stand rejected under 35 U.S.C. Sec. 102(b) as being anticipated by U.S. Patent No. 6,669,685 to Rizoïu et al. (hereinafter “Rizoïu”). Claims 18-19, 34, 37, 39-41 and 43 stand rejected under 35 U.S.C. Sec. 102(b) as being anticipated by U.S. Patent No. 6,478,793 to Cosman et al. (hereinafter “Cosman”). Claims 34, 37 and 38 stand rejected under 35 U.S.C. Sec. 102(b) as being anticipated by U.S. Patent No. 5,599,345 to Edwards et al. (hereinafter “Edwards”). Claims 51 – 53 stand rejected under 35 U.S.C. Sec. 102(b) as being anticipated by U.S. Patent No. 6,120,520 to Saadat et al. (hereinafter “Saadat”). Claims 51 and 54 stand rejected under 35 U.S.C. Sec. 102(b) as being anticipated by U.S. Patent No. 3,906,932 to Ayres et al. (hereinafter “Ayres”). Claims 55-56 stand rejected under 35 U.S.C. Sec. 102(b) as being anticipated by U.S. Patent No. 4,832,148 to Cohen et al. (hereinafter “Cohen”). It is respectfully submitted that the amendments submitted herewith overcome the Examiner’s rejections.

Applicants state that the structure of the devices disclosed in Rizoiu, Cosman, Edwards, Saadat, Ayres and Cohen are fundamentally different than that of the present disclosure as none of them apply *mechanical* energy to the medical device. Rizoiu discloses laser energy; Cosman utilizes thermal energy; Edwards and Saadat disclose RF energy; Ayres does not use an additional source of energy; and Cohen uses electrical energy. The devices of the present application are therefore clearly distinguishable from the prior art of record and reconsideration is respectfully requested based on the present claims as compared to the cited art.

Based on the above amendments and remarks, Applicants submit that the application is now in condition for allowance. If any further issues are yet to be resolved to advance the prosecution of this patent application to issue, the Examiner is asked to contact the undersigned counsel.

Reconsideration and allowance are respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "David Schramm", with a horizontal line drawn underneath it.

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